



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

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FCC CONTINUES NATIONAL FRAUD AWARENESS WEEK ACTIVITIES *Day Four: Slamming*

Washington, DC – On Monday the Federal Communications Commission (FCC) announced it would be observing National Fraud Awareness Week (August 4th – 10th) by highlighting five topics on which it gets many inquiries and complaints from consumers. One of these topics has been addressed each day this week. Not all are frauds or scams, but all are topics on which there has been considerable consumer concern and confusion.

On Monday the Commission addressed “The Do-Not-Call-List Verification Scam,” on Tuesday it was “Cell Phone Fraud,” and on Wednesday it was “Cramming.”

Today’s topic is:

SLAMMING

Slamming is the illegal practice of changing a consumer’s telephone service without permission. Consumer protection rules created by the Federal Communications Commission (FCC) provide a remedy if you’ve been slammed.

Your Rights if You Have Been Slammed

If you have been slammed and HAVE NOT paid the bill of the carrier who slammed, you DO NOT have to pay anyone for service for up to 30 days after being slammed. This means you do not have to pay either your authorized telephone company (the company you actually chose to provide service) or the slamming company. You must pay any charges for service beyond 30 days to your authorized company, but at that company’s rates, not the slammer’s rates.

Call your authorized company (local or long distance) to inform them of the slam. Tell them that you want to be reinstated to the same calling plan you had before the slam. Tell them that you want all “change of carrier charges” (charges for switching companies) removed from your bill.

If you HAVE paid your phone bill and then discover that you have been slammed, the slamming company must pay your authorized company 150 percent of the charges it received from you. Out of this amount, your authorized company will then reimburse

you 50 percent of the charges you paid to the slammer. For example, if you were charged \$100 by the slamming company, that company will have to give your authorized company \$150, and you will receive \$50 as a reimbursement.

With these rules, the FCC has taken the profit out of slamming and protected consumers from illegal charges.

How to Avoid Being Slammed:

- Always examine your phone bill immediately and thoroughly.
- Be aware of the ways in which companies are legally permitted to change your telephone service. The FCC's rules require companies to obtain your clear permission before such a change. For example, a company may send you a Letter of Agency (LOA) to verify that you want to switch your service to a new company. The LOA is only valid if you sign and date it. It must be used solely to authorize a change in company, and it must be clearly identified as an LOA authorizing the change. Only sign it when you are sure you want to change companies.
- A company might also solicit your telephone business over the phone or electronically. Companies must then verify your authorization by asking you to confirm your order by some means, such as calling a toll-free number used exclusively for this purpose. A company may also employ an independent third party to verify your request to change telephone companies.

Filing a Complaint

You can file a complaint if you have been slammed. Depending on where you live, you will either file with your state or with the FCC. You can find out whether or not your state will accept complaints by checking the FCC Web site at www.fcc.gov/cgb. You can also check with your state's regulatory commission or Attorney General.

The number for your state's regulatory commission, Attorney General, or Consumer Affairs Office is in the blue pages (the "State Government" section) of your phone book. Your state's regulatory commission or Attorney General's Office can advise you on the appropriate procedures for filing complaints with local authorities.

In addition, the FCC's Consumer Center at 1-888-CALL-FCC (1-888-225-5322) voice, or 1-888-TELL-FCC (1-888-835-5322) TTY, provides information on slamming and slamming complaints. If your state does not handle slamming complaints, contact the FCC at these numbers for instructions on how to file a complaint with the FCC.

For information on this and other topics of interest to consumers, visit our Web site at www.fcc.gov/cgb

To receive information on this and other FCC consumer topics through the Commission's electronic subscriber service, click on www.fcc.gov/cgb/emailservice.html.

